

**WAGNER, JONES, KOPFMAN,  
& ARTENIAN LLP**

NICHOLAS J.P. WAGNER, SBN 109455  
ANDREW B. JONES, SBN 076915  
DANIEL M. KOPFMAN, SBN 192191  
LAWRENCE M. ARTENIAN, SBN 103367  
1111 E. Herndon, Ste. 317  
Fresno, CA 93720  
Telephone: 559.449.1800  
Facsimile: 559.449.0749

Attorneys for Plaintiffs

**GIBSON, DUNN & CRUTCHER LLP**

CATHERINE A. CONWAY, SBN 98366  
cconway@gibsondunn.com  
JULIAN W. POON, SBN 219843  
jpoon@gibsondunn.com  
JESSE A. CRIPPS, SBN 222285  
jcripps@gibsondunn.com  
BLAINE H. EVANSON, SBN 254338  
bevanson@gibsondunn.com  
333 South Grand Avenue  
Los Angeles, CA 90071-3197  
Telephone: 213.229.7000  
Facsimile: 213.229.7520

Attorneys for Defendant WAL-MART STORES, INC.

**SCOPELITIS, GARVIN, LIGHT,  
HANSON & FEARY, PC**

JAMES H. HANSON (admitted *pro hac vice*)  
jhanson@scopelitis.com  
10 West Market Street, Suite 1500  
Indianapolis, IN 46204  
Telephone: 317.492.9205  
Facsimile: 317.687.2414

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CHARLES RIDGEWAY, JAIME FAMOSO,  
JOSHUA HAROLD, RICHARD BYERS, DAN  
THATCHER, NINO PAGTAMA, WILLIE  
FRANKLIN, TIM OPITZ, FARRIS DAY,  
KARL MERHOFF, and MICHAEL KROHN,

Plaintiffs,

v.

WAL-MART STORES, INC., a Delaware  
corporation d/b/a WAL-MART  
TRANSPORTATION LLC, and Does One  
through and including Doe Fifty,

Defendants.

[Previously captioned as *Bryan et al. v. Wal-  
Mart Stores, Inc.*]

CASE NO. 3:08-cv-05221-SI

**STIPULATED REQUEST AND  
[PROPOSED] ORDER MODIFYING  
CASE MANAGEMENT SCHEDULE**

AMENDED

The undersigned counsel, on behalf of Plaintiffs Charles Ridgeway, Jaime Famoso, Joshua Harold, Richard Byers, Dan Thatcher, Nino Pagtama, Willie Franklin, Tim Opitz, Farris Day, Karl Merhoff, and Micheal Krohn ("Plaintiffs") and Defendant Wal-Mart Stores, Inc. ("Wal-Mart," and collectively, with Plaintiffs, the "Parties"), hereby stipulate as follows:

### RECITALS

WHEREAS the Court has set pre-trial deadlines in its Second Pretrial Preparation Order (Dkt. No. 213) and had previously set deadlines in its Pretrial Preparation Order (Dkt. No. 174);

WHEREAS the parties have worked diligently to resolve discovery and deposition issues in the timing provided by that Order;

WHEREAS Plaintiffs' counsel are currently in the midst of a three month class action trial in another lawsuit that will affect the parties' ability to complete agreed upon discovery and depositions as scheduled, particularly given the time constraints of the coming retail blackout holiday period where many Wal-Mart employees will be unavailable because of business constraints; and

WHEREAS the parties believe they have identified the remaining discovery to be completed and believe the new deadlines will allow an orderly completion of the same.

### STIPULATION

Accordingly, the parties now jointly stipulate and respectfully request that this Court order the following changes to the existing schedule:

Event	Current Date	Proposed New Date
Expert Designation	October 19, 2015	<del>June 17, 2016</del> 4/29/16
Expert Rebuttal	October 28, 2015	<del>July 18, 2016</del> 5/20/16
Dispositive Motions	January 15, 2016	<del>On or before July 15, 2016</del> 7/1/16
Oppositions to Dispositive Motions	January 29, 2016	<del>Three weeks to oppose</del> 7/15/16
Replies In Support of Motions	February 5, 2016	<del>Two weeks to reply</del> 7/22/16
Discovery Cutoff (Expert and Non-Expert)	December 3, 2015	<del>August 19, 2016</del> 6/30/16
Pretrial Conference	April 12, 2016	<del>September 2, 2016</del> 9/6/16
Trial	April 25, 2016	<del>September 16, 2016</del> 9/19/16

DISPOSITIVE MOTION HEARING: 8/5/16 @ 9 A.M.

Pursuant to Local Rule 6-2(a), the declarations of Daniel M. Kopfman and Jesse A. Cripps in support of this stipulation are filed herewith.

IT IS SO STIPULATED.

Dated: September 28, 2015

By: /s/ Daniel Kopfman

Daniel Kopfman  
WAGNER, JONES, KOPFMAN, &  
ARTENIAN LLP

Attorneys for Plaintiffs

By: /s/ Jesse A. Cripps

Jesse A. Cripps  
GIBSON, DUNN & CRUTCHER LLP

Attorneys for Defendant

I, Jesse A. Cripps, attest that concurrence in the  
filing of this document has been obtained from the  
other signatory.

~~PROPOSED~~ ORDER

Pursuant to the above stipulation, the Stipulation and Order regarding the case management schedule is approved.

DATE: 11/17/15

A handwritten signature in blue ink, reading "Susan Illston".

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THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE